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SUBJECT: FINLAND: ELEVATING TRAFFICKING PROSECUTION

¶1. (SBU) SUMMARY. The Finnish government has been proactively pursuing trafficking cases and opportunities to raise public awareness about trafficking. A Finnish court recently handed down prison sentences to five Finns for a trafficking case involving a single Finnish woman. Finnish authorities specifically sought to elevate the prosecutions to aggravated trafficking offenses, given the gravity of the case. On December 10 Ambassador Barrett and ICE Deputy Director Michael E. Feinberg met with Finnish authorities to mark the launch of a new public service announcement intended to raise awareness about trafficking in Finland. Finnish authorities requested use of the US-created video after viewing it at a previous conference. This is the first time ICE has shared the video with another country. END SUMMARY.

Finnish authorities press trafficking case

¶2. (U) On December 9 the Finnish media reported on prison sentences imposed on three men and two women for human trafficking and fraud. The crimes occurred in Kotka, a small city in southeastern Finland. According to press reports, last summer the five - all from Kotka - held an 18-year-old woman from Kotka for a week, during which they physically assaulted her and forced her to provide sexual services. The group also took out loans in the victim's name. The sentences ranged from two to five-and-one-half years; the defendants were also ordered to pay the victim approximately 15,000 euros for pain and suffering. The district prosecutor reportedly described the trafficking case as unusual, given that the victim and the perpetrators knew each other and all events occurred within Finland's borders.

¶3. (SBU) In a December 10 conversation about the case with PolAsst, Finnish District Judge Arto Helenius pointed out that Finnish law contains no requirement that trafficking be linked to crossing borders, nor that it involve immigrants. He commented that aggravated human trafficking is considered far more serious within the Finnish legal system than cases of forced labor or sexual exploitation, and that the Kotka case was raised to a trafficking charge because:

- (1) The case involved the threat and use of severe physical violence (including hitting, strangling and air pellet gun shots);
- (2) The case involved a strong denial of physical freedom;
- (3) The defendants looted the victim's personal assets and property, including social welfare payments;
- (4) The defendants pimped and forced the victim to provide sexual services, including 200 "announcements" and five attempts to set up meetings (receiving payment three times); and

(5) The defendants based their crimes on a fictitious 6,000 euro debt with the victim, which prosecution considered a conspiracy to commit the crimes.

¶4. (SBU) In a December 10 conversation with PolOff, Jukka Martikainen of the Finnish National Bureau of Investigation (NBI) said that NBI applied pressure on the local authorities to pursue the case under the trafficking statute, due to its gravity. Martikainen also provided an NBI press release that states that so far all trafficking convictions in Finland have been related to sexual abuse in pandering. (NOTE: The press release includes a description of what the NBI considers to be trafficking in human beings: sexual abuse in a form which resembles a pandering offense, forced labor and other types of force into demeaning circumstances, and trade in bodily organs for financial gain. They describe the essential elements of the statutory definition to be the victim's induction into something such as prostitution or abuse of the victim through a dependent or insecure state where they are not allowed to exercise free will. END NOTE.)

NBI launches public service announcement

¶5. (U) On December 10 NBI launched a video prepared in cooperation with the U.S. Immigration and Customs Enforcement to advertise a helpline/hotline number for obtaining information about and reporting alleged instances of trafficking. Earlier this year Martikainen was shown the ICE video and sought to use it in Finland; this is the first time that ICE has cooperated with another country and permitted use of the video, which shows images of trafficking victims and now provides captions in Finnish. Ambassador Barrett and ICE Deputy Director Feinberg met NBI representatives at Embassy Helsinki on December 10 to express appreciation for the Finns' cooperation on combating trafficking.

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